

Notice of Allowability

Application No.

10/616,824

Examiner

Maria Veronica D. Ewald

Applicant(s)

MANNER, HANS-PETER

Art Unit

1722

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/1/07.
2. ☒ The allowed claim(s) is/are 1-7,9-22.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Allowable Subject Matter

Claims 1 – 7 and 9 – 22 are allowed. The following is an examiner's statement of reasons for allowance: Applicant argued that the closest prior art references of Guenther (EP 0447573) and Manner (U.S. 5,368,470), fail to teach or suggest, the combination wherein the injection molding nozzle is comprised of at least one pair of outlet openings disposed opposite one another relative to a center axis in an end region of the injection molding nozzle directed towards different sides of the nozzle, for discharging to different sprue openings, each of the outlet openings including a needle closure with a closure needle adjustable in a direction of one of the outlet openings; a common drive element for displacing the closure needles in a closing direction, the drive element being a displacement member movable between rear ends of the closure needles and the drive element including a cross section that is at least one of a cone, conical, tapered, a cam disk, and an eccentric disk; and a feed channel for transporting plastic to the outlet openings, the feed channel closeable by the drive element when displacing the closure needles. Applicant has argued that Guenther is silent with respect to the teaching of a common drive element displaceable between rear ends of the closure needles, such that the feed channel is also closeable by the drive element when displacing the closure needles. Examiner agrees.

The primary reference of Guenther teaches an injection nozzle, such that the nozzle openings are disposed opposite one another, in which closure needles can be located in both the side and main channels; however, *Guenther fails to teach or suggest that the main or feed channel is closeable by the main channel needle, when displacing*

Art Unit: 1722

the closure needles in the side channels. Furthermore, there is no teaching or suggestion in the reference of Guenther regarding a common drive element, and further lacks any teaching or suggestion as to how the channels are closed and as to how the needles are each connected to each other. There is no suggestion or teaching that the main channel needle is slideably connected to either of the closure needles. With respect to the reference of Manner, Manner only discloses the use of a piston or cam; however, fails to teach the combination of elements as claimed by Applicant in independent claims 1, 19 and 22, and therefore, does not teach or suggest the combination as claimed and as Applicant has argued, fails to remedy the deficiencies in the reference of Guenther.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maria Veronica D. Ewald whose telephone number is 571-272-8519. The examiner can normally be reached on M-F, 8 - 4:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Yogendra Gupta can be reached on 571-272-1316. The fax phone

Art Unit: 1722

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MVE


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